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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/800,315	03/10/2004	Daniel ManHung Wong	OR03-15501	1742
51067 7590 12/12/2007 ORACLE INTERNATIONAL CORPORATION c/o PARK, VAUGHAN & FLEMING LLP 2820 FIFTH STREET DAVIS, CA 95618-7759			EXAMINER RAAB, CHRISTOPHER J	
			ART UNIT 2166	PAPER NUMBER
			MAIL DATE 12/12/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/800,315

Applicant(s)

WONG, DANIEL MANHUNG

Examiner

Christopher J. Raab

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2166

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 October 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-5,7,8,10-12,14,15,17-19 and 21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-5,7,8,10-12,14,15,17-19 and 21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application
- ☐ Other: _____

DETAILED ACTION

01. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on **10/10/07** has been entered.

Claim Rejections - 35 USC § 102

02. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office Action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

03. **Claims 1, 3 – 5, 7 – 8, 10 – 12, 14 – 15, 17 – 19, and 21** are rejected under 35 U.S.C. 102(e) as being unpatentable over **Chaudhuri et al. (US Patent 7,194,451)**, hereinafter 'Chaudhuri'.

Consider **claim 1**, Chaudhuri discloses a method for using query signatures in a database, comprising:

probing query type objects, so as to create signatures for queries, such that the query signatures are determined based on the structure of the query and not based on the values of the parameter values (read as trapping database queries in a controlled environment, parsing the database queries to produce a set of valid signatures, wherein parsing the database queries involves determining signatures for the queries, wherein the signature specifies a structure based on operations for the query and is independent of the value of the literals in the query, and storing the valid signatures in the signature cache) (column 4 line 52 – column 5 line 28);

monitoring a system that receives queries (read as receiving a query at the database) (column 2 lines 26 – 54);

generating a query signature, which is defined as a query with the same structure, but different constants (read as parsing the query at the database to determine a signature for the query, wherein the signature specifies a structure based on operations for the query and is independent of the value of the literals in the query) (column 2 lines 46 – 54, column 7 line 40 – column 8 line 2) and that SQL can be used for the queries (read as the signature is constructed from structured query language (SQL) keywords of the query) (column 1 lines 31 – 38);

comparing query signatures to see if it matches an acceptable query (read as determining if the signature is located in the signature cache, which contains signatures for valid queries) (column 7 line 40 – column 8 line 2);

and being able to monitor the health of the system (read as triggering a mismatch alert) (column 2 lines 4 – 22).

Consider **claims 3 – 5**, and **as applied to claim 1 above**, Chaudhuri discloses a method such that an error in the system can send an alert to a DBA by email or pager or by logging the problem, and the system can either be halted or continue (read as the mismatch alert throws an error, the mismatch alert is sent to a database administrator and the query is processed, the mismatch alert is sent to a requesting application, thereby allowing the requesting application to take action) (column 2 lines 4 – 22).

Consider **claim 7**, and **as applied to claim 1 above**, Chaudhuri discloses a method such that a valid query can be added to the signature cache (read as if the signature generates a mismatch alert and if the query is a valid query, the method further comprises allowing a database administrator to add the signature to the signature cache) (column 10 lines 56 – 67).

Consider **claim 8**, Chaudhuri discloses a computer-readable storage medium for using query signatures in a database, comprising:

probing query type objects, so as to create signatures for queries, such that the query signatures are determined based on the structure of the query and not based on the values of the parameter values (read as trapping database queries in a controlled environment, parsing the database queries to produce a set of valid signatures, wherein parsing the database queries involves determining signatures for the queries, wherein the signature specifies a structure based on operations for the query and is independent of the value of the literals in the query, and storing the valid signatures in the signature cache) (column 4 line 52 – column 5 line 28);

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monitoring a system that receives queries (read as receiving a query at the database) (column 2 lines 26 – 54);

generating a query signature, which is defined as a query with the same structure, but different constants (read as parsing the query at the database to determine a signature for the query, wherein the signature specifies a structure based on operations for the query and is independent of the value of the literals in the query) (column 2 lines 46 – 54, column 7 line 40 – column 8 line 2) and that SQL can be used for the queries (read as the signature is constructed from structured query language (SQL) keywords of the query) (column 1 lines 31 – 38);

comparing query signatures to see if it matches an acceptable query (read as determining if the signature is located in the signature cache, which contains signatures for valid queries) (column 7 line 40 – column 8 line 2);

and being able to monitor the health of the system (read as triggering a mismatch alert) (column 2 lines 4 – 22).

Consider **claims 10 – 12**, and **as applied to claim 8 above**, Chaudhuri discloses a computer-readable storage medium such that an error in the system can send an alert to a DBA by email or pager or by logging the problem, and the system can either be halted or continue (read as the mismatch alert throws an error, the mismatch alert is sent to a database administrator and the query is processed, the mismatch alert is sent to a requesting application, thereby allowing the requesting application to take action) (column 2 lines 4 – 22).

Consider **claim 14**, and **as applied to claim 8 above**, Chaudhuri discloses a computer-readable storage medium such that a valid query can be added to the signature cache (read as if the signature generates a mismatch alert and if the query is a valid query, the method further comprises allowing a database administrator to add the signature to the signature cache) (column 10 lines 56 – 67).

Consider **claim 15**, Chaudhuri discloses an apparatus for using query signatures in a database, comprising:

probing query type objects, so as to create signatures for queries, such that the query signatures are determined based on the structure of the query and not based on the values of the parameter values (read as trapping database queries in a controlled environment, parsing the database queries to produce a set of valid signatures, wherein parsing the database queries involves determining signatures for the queries, wherein the signature specifies a structure based on operations for the query and is independent of the value of the literals in the query, and storing the valid signatures in the signature cache) (column 4 line 52 – column 5 line 28);

monitoring a system that receives queries (read as receiving a query at the database) (column 2 lines 26 – 54);

generating a query signature, which is defined as a query with the same structure, but different constants (read as parsing the query at the database to determine a signature for the query, wherein the signature specifies a structure based on operations for the query and is independent of the value of the literals in the query) (column 2 lines 46 – 54, column 7 line 40 – column 8 line 2) and that SQL can be used

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for the queries (read as the signature is constructed from structured query language (SQL) keywords of the query) (column 1 lines 31 – 38);

comparing query signatures to see if it matches an acceptable query (read as determining if the signature is located in the signature cache, which contains signatures for valid queries) (column 7 line 40 – column 8 line 2);

and being able to monitor the health of the system (read as triggering a mismatch alert) (column 2 lines 4 – 22).

Consider **claims 17 – 19**, and **as applied to claim 15 above**, Chaudhuri discloses a apparatus such that an error in the system can send an alert to a DBA by email or pager or by logging the problem, and the system can either be halted or continue (read as the mismatch alert throws an error, the mismatch alert is sent to a database administrator and the query is processed, the mismatch alert is sent to a requesting application, thereby allowing the requesting application to take action) (column 2 lines 4 – 22).

Consider **claim 21**, and **as applied to claim 15 above**, Chaudhuri discloses a apparatus such that a valid query can be added to the signature cache (read as if the signature generates a mismatch alert and if the query is a valid query, the method further comprises allowing a database administrator to add the signature to the signature cache) (column 10 lines 56 – 67).

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Response to Arguments

04. Applicant's arguments with respect to claims 1, 3 – 5, 7 – 8, 10 – 12, 14 – 15, 17 – 19, and 21 have been considered, but are moot in view of the new ground(s) of rejection.

Conclusion

05. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a) Burkowski, Forbes J. et al.	US Patent	4,991,087
b) De Bonet, Jeremy S.	US Patent	5,819,288
c) Chang, Daniel T. et al.	US Patent	6,240,407
d) Fujiwara, Shinji et al.	US PGPub	2003/0014394
e) Singer, Gary Brian et al.	US Patent	6,557,009

06. Any response to this Office Action should be **faxed to (571) 273-8300 or mailed to:**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Hand-delivered responses should be brought to

Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314

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07. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Christopher Raab whose telephone number is (571) 270-1090. The Examiner can normally be reached on Monday-Friday from 8:30am to 6:00pm.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Hosain Alam can be reached on (571) 272-3978. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free) or 703-305-3028.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist/customer service whose telephone number is (571) 272-2600.

Christopher Raab
C.R./cr

 **KAP**


HOSAIN ALAM
SUPERVISORY PATENT EXAMINER

December 6, 2007